

YOUTH SERVICES POLICY

Title: Marriage Requests Next Annual Review Date: 05/02/2009	Type: B. Classification, Sentencing and Service Functions Sub Type: 8. Youth Related Services Number: B.8.6
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References: Turner v Safley, 482 US 78, 96 L.Ed.2d 64, 107 S Ct 2254 (1987); La. R.S. 9:201 Through 204; ACA Standards 3-JTS-5C-01, 5C-05, and 5C-08 (Juvenile Training Schools).	
STATUS: Approved	
Approved By: <i>Richard M. Thompson, Deputy Secretary</i>	Date of Approval: 05/02/2008

1. AUTHORITY:

Deputy Secretary of Youth Services as contained in La. R.S. 36:405.

2. PURPOSE:

To establish the Deputy Secretary's policy concerning youth marriage requests.

3. APPLICABILITY:

Assistant Secretary, Deputy Assistant Secretaries, Facility Directors, Chaplains, facility staff and youth. It is the responsibility of the Directors to convey the contents of this policy to youth who make a request to be married while assigned to a secure care facility. The legal age for obtaining a marriage license is 18 years.

4. POLICY:

It is the Deputy Secretary's policy that youth marriage requests be handled in accordance with the procedures outlined herein.

5. PROCEDURES:

- A. A youth's request to be married should be submitted to the Director for review.

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- B. The youth is required to participate in at least one counseling session with the facility Chaplain, which is intended to assess the youth's level of responsibility to make a decision of this nature. The Director will discuss the marriage proposal with both parties, either personally or through a Chaplain, and document that the parties were counseled. In addition, the Director will ensure that the appropriate staff person provides a courtesy notification to the parent/guardian of the youth's marriage request. Documentation of these actions must be filed in the youth's case record under Clip II.
- C. The youth must appropriately certify that both parties meet all legal qualifications for marriage. The burden of proof rests with the youth to gather this information; however, the youth may request assistance from his/her case manager.
- D. If the Chaplain chooses not to perform the marriage, he/she will inform both parties. In this situation, the Chaplain will speak with the individual who is to perform the marriage to ensure that they are fully aware of the situation of the youth. Only approved and licensed authorities (clergy and judges) will be permitted to perform the marriage ceremony.
- E. If both parties are assigned to secure care facilities, the marriage may be postponed until one of the parties has been released.
- F. The youth making the request must pay for all costs associated with the marriage ceremony.
- G. Nothing in this policy is intended to preclude staff from volunteering, with the Director's approval, to assist the youth with the marriage ceremony, as long as such does not interfere with other facility activities and staff's responsibilities.
- H. Absent unusual circumstances related to legitimate safety concerns, the Director should approve the marriage request and set an appropriate time and place for the ceremony. Furloughs will not be granted for a marriage ceremony.

Previous Regulation/Policy Number: B.8.6

Previous Effective Date: 10/08/2004

Attachments/References: